

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3 WESTERN DIVISION
4

5 PARTNERS FOR HEALTH AND HOME,
6 L.P., a California Limited Partnership

7 Plaintiff,

8 v.

9 SEUNG WEE YANG individually and
10 doing business as PEARL LIFE
COOKWARE, INC.,

11 S T P AMERICA, INC., a California
12 corporation, and

13 DOES 1-10, inclusive

14 Defendants.
15

Case No.: CV09-07849-CBM (RZx)

**[PROPOSED] PRELIMINARY
INJUNCTION**

Date: July 12, 2010

Time: 10:00 a.m.

Courtroom: 2

Judge: Hon. Consuelo Marshall

16 Plaintiff's Motion for Preliminary Injunction came on for hearing on June 28, 2010. After
17 considering the briefs submitted by the parties and the evidence and arguments presented at the
18 hearing, the Court now RULES AS FOLLOWS:

19 1. Plaintiff has shown a likelihood of proving that Defendants Seung Wee Yang and
20 S T P America, Inc. including its officer and owner Seung Wee Yang, have infringed Plaintiff's
21 PERMA-LIFE trademark. Accordingly, the Motion is GRANTED.

22 2. Defendants Seung Wee Yang and S T P America, Inc., and specifically including
23 without limitation its officer and owner Seung Wee Yang, and any successor company to S T P
24 America Inc.'s business including its officers and directors (collectively, "Defendants"), are
25 hereby ORDERED to:

26 a) within five (5) calendar days of entry of this Order:

27 i) identify and catalog by URL every web page posted on the Internet by
28

Defendants, or caused to be posted on the Internet by Defendants, containing the term “PERMA-LIFE” or any cognate or colorable imitation thereof;

ii) print out a paper copy of each such web page;

iii) store an electronic copy of each such web page;

iv) list every place and in every other way that Defendants used the term “PERMA-LIFE” or any cognate or colorable imitation thereof, within its advertising, regardless of whether such advertising, including any Internet web page, still exists;

v) transmit to Plaintiff’s counsel via email the items identified in subparagraphs i), iii), and iv) above, and send to Plaintiff’s counsel via first class mail or overnight courier the items identified in subparagraph ii) above;

b) within two business (2) days after receiving confirmation from Plaintiff’s counsel that counsel has made copies to its satisfaction of the material so identified, remove from the Internet all uses by Defendants of the term “PERMA-LIFE” and any cognate or colorable imitation thereof;

c) within five (5) business days after receiving confirmation from Plaintiff’s counsel per subparagraph b) above, file with the court and serve on Plaintiff’s counsel a sworn report detailing how they have complied with this order.

IT IS SO ORDERED

Dated: _____

Hon. Consuelo B. Marshall
Judge, United States District Court

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Presented by:

/Joel D. Voelzke/

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PROOF OF SERVICE

I, the undersigned, am at least 18 years old and am not a party to this action. My business address is 24772 Saddle Peak Road, Malibu, California. I hereby certify that on this day of June 10, 2010 I served the following document:

**NOTICE OF MOTION AND MOTION FOR PRELIMINARY INJUNCTION
PROHIBITING DEFENDANTS SEUNG WEE YANG AND S T P AMERICA,
INC. FROM USING PLAINTIFF'S PERMA-LIFE® TRADEMARK**

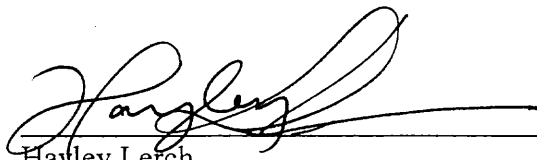
[PROPOSED] PRELIMINARY INJUNCTION

**DECLARATION OF JOEL VOELZKE IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

on the interested party(ies) in the above action via personal service at the following address:

Gabriel Colorado, Esq.
Law Offices of Steven C. Kim & Associates
3701 Wilshire Blvd.
Suite 1040
Los Angeles, CA 90010

I declare under penalty of perjury under the laws of the United States that the above is true and correct.


Hayley Lerch